

BOARD OF SUPERVISORS

GILA COUNTY, ARIZONA

Date: May 4, 2004

JOSÉ M. SANCHEZ

Chairman

JOHN F. NELSON

Clerk of the Board

RONALD A. CHRISTENSEN

Vice-Chairman

By: Marian Sheppard
Chief Deputy Clerk

CRUZ SALAS

Member

Gila County Courthouse
Globe, Arizona

PRESENT: José M. Sanchez, Chairman; Ronald A. Christensen, Vice-Chairman; John F. Nelson, County Manager/Clerk; and, June Ava Florescue, Deputy County Attorney.

The Gila County Board of Supervisors met in Regular Session at 10:00 a.m. this date. June Ava Florescue led the Pledge of Allegiance and Jeremy Goodman delivered the Invocation.

Chairman Sanchez advised that Daisy Flores, County Attorney, will present an Officer Recognition Award. Ms. Flores advised that Officer Recognition Awards are presented on a quarterly basis to police officers that have demonstrated exemplary service in the line of duty. Ms. Flores advised that Town of Payson Police Officer Steven Sachak is being presented with the Award today. She provided an overview of Officer Sachak's professional accomplishments and then cited an example of how Officer Sachak was instrumental in providing information for a court case. She presented the Officer Recognition Award to Officer Sachak. Officer Sachak made a brief statement and thanked Ms. Flores and the Board.

At this time each Board member presented a brief summary of current events as allowed by A.R.S. §38-431.02(K). No action was taken on any items that were presented.

Upon motion by Vice-Chairman Christensen, seconded by Chairman Sanchez, the Board excused Supervisor Salas from today's meeting so that he could attend to personal business.

Carolyn Haro, Health and Community Services Division Program Manager, requested the approval of an Intergovernmental Agreement (Contract No. HG461408) between the Gila County Health Department and the Arizona Department of Health Services (ADHS) to implement a Community Oral Health Systems Development Initiative for the period March 1, 2004, through February 28, 2005, in the amount of \$30,212. Ms. Haro advised that this is a new grant being awarded to the Health Department which resulted from a county-wide needs assessment for oral health care that was conducted a couple of years ago. She stated that ADHS contacted Gila County and offered grant funds that will be utilized to hire a part time oral health professional. The oral health professional will coordinate educational opportunities for oral health professionals within Gila County, and provide linkages between public health and the dental community in an effort to build an oral health system in Gila County. Vice-Chairman Christensen entered into a discussion with Ms. Haro on the results of the needs assessment and the long-term goals of this initiative once local oral health professional and public health develop a partnership. Upon motion by Vice-Chairman Christensen, seconded by Chairman Sanchez, the Board approved the Intergovernmental Agreement.

Steve Stratton, Public Works Division Director, requested the adoption of Resolution No. 04-05-03 approving an Intergovernmental Agreement with the Arizona Department of Transportation (ADOT File No. JPA 03-126) for the design and construction of a right-hand turn lane at the entrance of the Gila County Courthouse on U.S. Highway 60 at approximately mile post 251.6. Mr. Stratton advised that a number of accidents have occurred at the entrance of the Courthouse. He further advised that a few months ago the Board of Supervisors approved the installation of a no left-hand turn sign exiting the Courthouse onto Highway 60. Mr. Stratton advised that ADOT has committed

\$80K toward this project. He advised that the Engineering Department issued a Call for Bids for this project. Mr. Stratton advised that the lowest bid submitted for this project is in the amount of \$59,325. He advised that since the initial plans were developed, ADOT requested that Gila County amend the plans to include the installation of a handrail for the protection of citizens. Mr. Stratton advised that the project cost is not expected to exceed \$80K, which includes the installation of the handrail. He advised that he will officially request the Board to award the contract at next week's Board meeting. Mr. Stratton stated that ADOT has agreed to inspect the project. Vice-Chairman Christensen asked about the timeline for this project. Mr. Stratton replied that when the Board awards the project, the contractor will be given 30 days to proceed. Upon commencement of the project, the contractor has 60 days to complete the project. Chairman Sanchez advised that the right-hand turn deceleration lane will hopefully eliminate accidents occurring at the entrance of the Courthouse. Upon motion by Vice-Chairman Christensen, seconded by Chairman Sanchez, the Board adopted Resolution No. 04-05-03. **(A copy of the resolution is permanently on file in the Board of Supervisors office.)**

Terry Smith, Community Development Division Deputy Director/ Planning and Zoning Manager, requested that agenda item number 6 be addressed prior to agenda item 5, which is a public hearing to amend Gila County's Comprehensive Plan. Agenda item number 6 is a public hearing to adopt Resolution No. 04-05-06 authorizing the approval of Planning and Zoning Case No. Z-04-01. Case No. Z-04-01 is a request submitted by Ecco Homes, Inc. (Summit Springs) to rezone tax parcel number 301-41-001 currently zoned R1-D175 (Residence One with the density of one hundred and seventy five) and GU (General Unclassified District) to R1-PAD (Residence One with a Planned Area Development). The applicant and developer of the property is Ecco Homes, Inc. and the owner of the property is Stardust Development, Inc. The property will be subdivided into twenty seven (27) single family lots with the minimum lot of eleven thousand five hundred (11,500)

square feet with public sewer and water facilities. The parcel is located at Forest District Road 508, Payson, Arizona, and is legally described as the SW¼ of Sec 31, T11N, R10E and the SE¼ of Section 36, T11N, R9E of the G&SRM, Gila County, Arizona. Mr. Smith read aloud the staff report and advised that the Planning and Zoning Commission recommends the Board's approval of the rezoning request with the following waivers: 1) sidewalks and 2) secondary access. He further advised that Planning and Zoning Department staff received several letters from residents of the Country Club Vista and Country Club Ranchos subdivisions expressing concerns regarding increased traffic on roads throughout the subdivisions. Vice-Chairman Christensen and Mr. Smith entered into a discussion regarding the preliminary plat process and final plat process. Vice-Chairman Christensen advised that all issues should be addressed in conjunction with this rezoning request. Mr. Smith requested to commence with the preliminary plat process so that all of the issues expressed by the Board and citizens can be accomplished before the final plat is presented for Board approval. Chairman Sanchez called for public comment. Mr. Dan Adams, a resident of Payson, Arizona, inquired if the Payson Fire Department is involved in the process. Mr. Smith replied that fire districts are notified during the preliminary platting process. Chairman Sanchez asked for further public comment; none was offered. At Mr. Smith's request, Chairman Sanchez called on Mr. Ralph Bossert, PE, RLS, Sr. Project Manager with Tetra Tech, Inc., and Mr. Eric Capranica of ECCO Homes, Inc. to address the Board. Mr. Bossert advised that on behalf of Gila County, he asked the United States Department of Agriculture, Forest Service, to consider granting an additional easement to this property. He advised that the Forest Service denied this request because their manual policy is to encumber National Forest lands with only one such right-of-way for private parcels surrounded by National Forest. Mr. Bossert advised that other alternatives are being considered. Mr. Stratton advised that he attended the Planning and Zoning Commission hearing on this rezoning request. He stated that the citizens are more concerned with the tight

“s” curve on the road leading into the proposed subdivision. Mr. Stratton recommended contacting the Town of Payson to ascertain how the Town intends to improve the curve on the road. Mr. Capranica stated that discussions have ensued with other entities such as the Town of Payson and fire districts, etc, but until the rezoning request is approved, the other agreements won’t be finalized. Mr. Smith advised that the proposed amendment to the Gila County Comprehensive Plan must be acted upon before the Board can render a decision on the rezoning request, stated as agenda item number 6. At this time Mr. Smith requested to address agenda item number 5, a request to amend Figure 2.A (map) from the Land Use Classification Residential - 0 to 0.1 dwelling units per acre to Residential – 1 to 2 dwelling units per acre, for the purpose of accommodating Planning and Zoning Department rezoning application number Z-04-01. Upon motion by Vice-Chairman Christensen, seconded by Chairman Sanchez, the Board adopted Resolution No. 04-05-05. Upon motion by Vice-Chairman Christensen, seconded by Chairman Sanchez, the Board adopted Resolution No. 04-05-06. **(Copies of the resolutions and staff reports are permanently on file in the Board of Supervisors office.)**

A public hearing was held to adopt Resolution No. 04-05-04 designating Silver Hill Road as a Country Dirt Road and accepting said road into the Gila County Country Dirt Road Maintenance System, and authorizing the Chairman’s signature on the Country Dirt Road Easement. Steve Sanders, Public Works Division Deputy Director, advised that the subject road is located north of Globe along Pinal Creek within Supervisorial District Three. The road is approximately 3,100 feet in length with a 30 foot wide easement. He advised that there are nine parcels of land adjacent to the road and that all property owners have signed the Country Dirt Road Easement which is a requirement for accepting the road into the County’s Country Dirt Road Maintenance System. Chairman Sanchez called for public comment; none was offered. Upon motion by Vice-Chairman Christensen, seconded by Chairman Sanchez, the

Board adopted Resolution No. 04-05-04 and authorized the Chairman to sign the Country Dirt Road Easement. **(A copy of the resolution is permanently on file in the Board of Supervisors office.)**

John Nelson requested the adoption of Resolution No. 04-05-01 approving the amended and restated Agreement and Declaration of Trust dated July 1, 2004, for the provision of employee health and welfare benefits by the Arizona Local Government Employee Benefit Trust (AZLGEBT). He advised that the Trust Agreement in place at this time is for a period of 10 years with an expiration date of June 30, 2004. He advised that the County has the option to enter into a new Agreement or dissolve the Trust. The new Agreement is for a period of twenty years with an expiration date of June 30, 2024. Mr. Nelson advised that Participating Entities of AZLGEBT are Apache County, Gila County, Graham County, Greenlee County, La Paz County and Santa Cruz County. Mr. Nelson provided an overview of substantial changes being made to the Agreement and Declaration of Trust, as follows:

- “Participating Entities” shall only include county governments within the State of Arizona. An entity terminating membership in the Trust shall cease to be a Participating Entity as of the effective date of termination of its membership, but shall retain such continuing rights and be subject to such continuing obligations as provided in the Agreement.
- Membership and Appointment. The Board of Trustees shall be comprised of one Trustee and one Alternate Trustee appointed by each participating entity. The Trustee shall be the County Manager or County Administrator (as applicable) and the Alternate Trustee shall be a member of the Senior Management of the Participating Entity. Mr. Nelson is the Trustee and Jacque Griffin, Assistant County Manager/District Librarian, is the Alternate Trustee for Gila County.
- Procedures. A proposed amendment shall become effective on the date specified after approval by the Boards of Supervisors of no less than $\frac{3}{4}$ of the total number of Participating Entities. Upon approval of a proposed

amendment by the requisite number of Board of Supervisors, a Participating Entity whose Board of Supervisors fails to approve the proposed amendment may elect to terminate its membership in the Trust pursuant to the provisions of Article XV of the Trust Agreement.

- Termination of the Trust. Upon termination of the Trust, the Trustees shall by majority vote provide for the development of a plan (the termination plan) to wind up the Trust's business over the course of a period not to exceed thirty six (36) calendar months from the effective date of the Trust's termination.
- Expulsion. Former Participating Entities shall remain liable for the full amount of contributions that would otherwise have been due to the Trust during the period of time between the date of such Entity's expulsion and the scheduled end of such Entity's Initial or Renewal Term of Participation.... Surpluses payable to former Participating Entities that were expelled in accordance with Article XVI shall be reduced by the amount of the Member Contributions that would otherwise have been due to the Trust during the period of time between the date of such Entity's expulsion and the scheduled end of such Entity's Initial or Renewal Term of Participation. The balance of any remaining surpluses due to the former Participating Entity after making such adjustment shall be paid in two (2) installments, with the first installment comprised of an amount not to exceed seventy five (75) percent of the remaining total estimated amount due being paid no later than one hundred eighty calendar (180) days after the effective date of such expulsion, and any remaining surplus balances due being paid not later than twenty seven (27) months after the effective date of such expulsion, or in accordance with such other schedule as may be agreed between the former Participating Entity and the Trustees.....
- Participating Entities – Terms of Participation/Renewal. Participating Entities' membership in the Trust shall be for a period of three (3) years. Staggered terms are implemented for Participating Entities. The following

membership schedule applies to the Participating Entities with the initial term of participation commencing July 1, 2004: Apache County – 24 months; Gila County – 24 months; Graham County – 12 months; Greenlee County – 12 months; La Paz County – 36 months; and, Santa Cruz County – 12 months.

The Board asked Mr. Nelson to provide an update on AZLGEBT at this time. Mr. Nelson advised that AZLGEBT has a balance of \$7.7M of which Gila County's share is approximately \$1.2M - \$1.3M. He cautioned that it would only take one major event, such as an outbreak of the West Nile Virus in one or more counties, to severely negatively affect the cash balance but would not require additional funding from member counties. Mr. Nelson was pleased to announce that this upcoming fiscal year the rates will remain unchanged from last year for employee health insurance. Vice-Chairman Christensen inquired about the number of claims filed by Gila County this past year. Mr. Nelson replied that the number of claims filed is reduced from previous years, which is primarily attributable to the success of the County's Wellness Program. The Board thanked Mr. Nelson for his presentation and also congratulated Mrs. Griffin for spearheading the County's Wellness Program. Upon motion by Vice-Chairman Christensen, seconded by Chairman Sanchez, the Board adopted Resolution No. 04-05-01. **(A copy of the resolution is permanently on file in the Board of Supervisors office.)**

Upon motion by Vice-Chairman Christensen, seconded by Chairman Sanchez, the Board approved the Consent Agenda consisting of item numbers A through O, as follows:

- A. Approval of an application submitted by Jim Grider of Phelps Dodge Miami, Inc. requesting to conduct a fireworks display on July 4, 2004, at the mine tailings.
- B. Authorization for the Chairman to sign a cover sheet on a Request for Proposal to be submitted to the Department of Labor which will enable the

Community Action Program to apply for \$25,000 in grant funds to provide educational and employment services to clients.

- C. Approval to adopt Resolution No. 04-05-02 appointing Carol Lydic to the Planning and Zoning Commission and Board of Adjustment and Appeals representing Supervisorial District Three. **(A copy of the resolution is permanently on file in the Board of Supervisors office.)**
- D. Approval to adopt Resolution No. 04-05-07 appointing Andy Ooms to the Planning and Zoning Commission representing Supervisorial District One. (Mr. Ooms fills the unexpired term of Carol Lydic). **(A copy of the resolution is permanently on file in the Board of Supervisors office.)**
- E. Approval to adopt Resolution No. 04-05-08 authorizing the submission of a grant proposal to the Governor's Office of Highway Safety to be considered for inclusion in Arizona's Federal Fiscal Year 2005 Highway Safety Plan to receive funds for the purchase of 10 radar units, 6 digital video recording systems, 2 Intoxilizer 8000 units, breath testing devices, 1 unmarked traffic enforcement vehicle and 1 radar warning trailer, and to provide for DUI enforcement overtime. **(A copy of the resolution is permanently on file in the Board of Supervisors office.)**
- F. Approval of an Intergovernmental Agreement between the Town of Hayden and the Gila County Sheriff's Office whereby the Sheriff's Office will provide 24-hour dispatching services and will assume liability for repairs and maintenance of radio equipment and supplies for the period July 1, 2003, through June 30, 2004.
- G. Authorization for the Chairman to sign an Acceptance of Municipal Energy Management Program Grant Award in the amount \$20,000 for the Sheriff's Office Air Conditioning Replacement Project as outlined in the MEMP grant application submitted to the Arizona Department of Commerce Energy Office by the Public Works Division.
- H. Approval of an Intergovernmental Agreement between the Canyon Water Improvement District and Gila County whereby the County will provide

\$35,000 of Highway Funds for Kellner Canyon and Ice Canyon Road repairs pursuant to A.R.S. §11-251, §11-952 and §28-6533.

- I. Acknowledge the appointment of Harold S. Plues III as a governing board member of the Beaver Valley Fire District.
- J. Appointment of Judy Kieren as a precinct committeeperson to the Gila County Democratic Party.
- K. Appointment of Joyce H. Waters, Betty Dalmolin and Debora Savage as precinct committeemen to the Gila County Democratic Party.
- L. Approval of BOS minutes from the April 20, 2004, and April 27, 2004, meetings.
- M. Approval of March 2004, monthly departmental activity reports submitted by the Gila County Recorder, and Payson Regional Justice of the Peace.
- N. Approval of finance reports/demands/transfers for the weeks of April 27, 2004, and May 4, 2004, as follows:

April 27, 2004 (reporting period of April 20-26, 2004) –

\$991,479.64 disbursed for County expenses by voucher numbers X139399 through X139489 and X351403 through X351689. The hand-issued warrants listing is as follows: voucher number X351400 in the amount of \$5,000.00, voucher number X139395 in the amount of \$375.75, voucher number X351401 in the amount of \$70.50, voucher number X351402 in the amount of \$70.50, voucher number X139398 in the amount of \$275.00 and voucher number X139397 in the amount of \$275.00.

May 4, 2004 (reporting period of April 27, 2004, to May 3, 2004):

\$607,555.26 disbursed for County expenses by voucher numbers X139491 through X139622 and X351694 through X351927. The hand-issued warrants listing is as follows: voucher number X351687 in the amount of \$310,103.00 and voucher number X139490 in the amount of \$20.00.

- O. Approval of personnel reports/actions for the weeks of April 27, 2004, and May 4, 2004, as follows:

April 27, 2004 (reporting period of April 20-26, 2004)

Departure from County Service:

1. Technician – Gila Community College – 04-03-04 College Fund – Tami Meyers – hire 10-15-03 – Resigned without notice

Hire to County Service:

2. Building Safety Asst. I – Community Development – 05-03-04 – General Fund - Patricia Nock
3. Coordinator/Out Reach – Gila Community College – 04-19-04 – College Fund - Sarah Nelson – temporary to regular status – part-time position
4. Clerk – Gila Community College – 04-19-04 – College Fund - Nancy Moulder – part-time position
5. Clerk II – Recorder – 04-25-04 – General Fund - Trinity Branch – part-time position

Temporary Hire to County Service:

6. Technician – Gila Community College – 04-19-04 – College Fund – Jerry Moulder – part-time position

Position Review:

7. Anniversary date increase – 03-22-04 – Kristie Studdard
8. Anniversary date increase – 04-19-04 – Mike Golden
9. Anniversary date increase – 05-03-04 – Donald White
10. Request unpaid leave of absence – Deputy Payson Constable Chris Haack – 04-19-04

Request Permission to Post:

11. Rabies Control Officer II – Rabies Control – position vacated by Mark Boyd

SHERIFF'S PERSONNEL ACTION ITEMS

Departure from County Service:

12. Detention Officer – Globe S.O. – 04-19-04 – General Fund - Manuel Parades – hire 10-20-03 – Failure to complete probationary period

Temporary Hire to County Service:

13. Deputy Sheriff – Emergency Response – 05-03-04 – Emergency Response
Fund - Paul Massaro

Position Review:

14. Anniversary date increase plus Merit increase – Chad Langley

May 4, 2004 (reporting period of April 27, 2004, to May 3, 2004):

Departure from County Service:

1. Administrative Assistant – Gila Community College – 04-29-04 – College
Fund - Andrea Renon – Hire 08-12-02 – Resigned – reason unknown
2. J.P. Clerk I – Globe Justice Court – 04-23-04 – General Fund - Susan
Woods – Hire 11-03-03 – Resigned – reason unknown
3. Engineering Tech. II – Engineering Services – 04-23-04 – Engineering
Services Fund - Daniel Blaisdell – Hire 07-01-93 – Resigned
4. Operator I – Solid Waste Management – 04-23-04 – Enterprise Fund -
Michael Wanick – Hire 12-29-03 – Failure to complete probationary
period
5. Constable Clerk II – Payson Constable – 04-24-04 – General Fund - Lisa
Levine – Hire 03-08-04 – Failure to complete probationary period
6. Animal Control Officer II – Rabies Control – 04-23-04 – Rabies Control
Fund - Mark Boyd – Hire 09-23-02 – Resigned for other employment

Hire to County Service:

7. Voter Outreach – Recorder – 05-05-04 – General Fund - Carolyn Brown

Temporary Hire to County Service:

8. Operator – Solid Waste Management – 04-26-04 – Enterprise Fund -
Michael Cooper
9. Early Voting Clerk – Recorder – 05-03-04 – General Fund - John Dipinto
10. Deputy Constable – Payson Constable – 05-02-04 – General Fund -
Dennis Armistead
11. Administrative Assistant – Gila Community College – 05-03-04 – College
Fund - Franceen Gregovich-Benton

Departmental Transfer:

12. Clerk (Part-time) to J.P. Clerk I – Globe Justice Court – 05-03-04 –
General Fund - Kay St. Laurent – replaces Susan Woods

End Probationary Period:

13. Building Safety Assistant II – Community Development – 04-04-04 –
General Fund - Norma Collier
14. Building Safety Assistant II – Community Development – 05-04-04 –
General Fund - Margie Chapman

Position Review:

15. Reclassification – Mobile Crew Coordinator to Job Coach – G.E.S.T. –
05-03-04 – Grant Fund - Patricia Spurgeon
16. Salary increase – Job Coach – G.E.S.T. – 05-03-04 – Grant Fund -
Jackie Duckett – increase due to additional responsibilities
17. Anniversary date increase – 05-03-04 – Steven Besich, Thomas Homan,
Debora Brieseno, Barbara Valencia, Esther Rios, Anita Escobedo,
Anesita Gugino

Request Permission to Post:

18. Mobile Crew Coordinator – G.E.S.T. – position vacated by Patricia
Spurgeon
19. Engineering Tech. II – Engineering Services – position vacated by
Daniel Blaisdell
20. Operator I – Buckhead Mesa Landfill – position vacated by Michael
Wanick

SHERIFF'S PERSONNEL ACTION ITEMS

Temporary Hire to County Service:

21. Deputy Sheriff – Emergency Response – Globe S.O. – 05-03-04 –
Emergency Fund - Larry Briggs, Dora Dawes, Mary Lange

Position Review:

22. Change Fund Code – Jail Commander – Globe S.O. – 05-03-04 – General
to Detention Health Fund - William Gaddis
23. Change Fund Code – Detention Officer – Globe S.O. – 05-03-04 –

General to Commissary Fund - Linda Carnahan

24. Anniversary date increase – 04-19-04 – Carrie Tavares

25. Anniversary date increase – 05-03-04 – Linda Carnahan, George Fishel,
Michelle Daly, Joe Leon, Rodney Cronk, Kenneth Wortman

There being no further business to come before the Board of Supervisors,
Chairman Sanchez adjourned the meeting at 12:21 p.m.

José M. Sanchez, Chairman

ATTEST:

John F. Nelson, County Manager/Clerk